

IN THE SUPREME COURT, STATE OF WYOMING

2014 WY 8

October Term, A.D. 2013

January 22, 2014

MICHAEL DALE ISELI,

**Appellant
(Defendant),**

v.

S-13-0192

THE STATE OF WYOMING,

**Appellee
(Plaintiff).**

**ORDER AFFIRMING THE DISTRICT COURT'S
JUDGMENT AND SENTENCE**

[¶1] **This matter** came before the Court upon “Appellant[']s Brief / Motion to Appoint Counsel,” filed *pro se* herein January 7, 2014. Pursuant to a plea agreement, Appellant pled “no contest” to three felonies: one count of kidnapping and two counts of first degree sexual assault. This is Appellant’s direct appeal from the resulting convictions. On October 30, 2013, Appellant’s court-appointed appellate counsel filed a “Motion to Withdraw as Counsel,” pursuant to *Anders v. California*, 386 U.S. 738, 744, 87 S. Ct. 1396, 1400, 18 L. Ed. 2d 493 (1967). Following a review of the record and the “*Anders* brief” submitted by appellate counsel, this Court, on November 26, 2013, entered its “Order Granting Permission for Court Appointed Counsel to Withdraw.” That Order notified Appellant that the district court’s “Judgment and Sentence” would be affirmed unless Appellant filed a brief that persuaded this Court that the captioned appeal is not wholly frivolous. Now, after a careful review of Appellant’s Brief, the Court finds that the district court’s “Judgment and Sentence” should be affirmed. This Court finds that Appellant has not provided any precedent or cogent argument to establish that this appeal has merit. Instead, Appellant, for the most part, repeats potential issues that were thoroughly discussed in appellate counsel’s *Anders* brief. Finally, this Court finds that Appellant’s motion to appoint counsel should be denied, inasmuch as Appellant was already provided appellate counsel, who was allowed to withdraw pursuant to this Court’s *Anders* brief procedure. It is, therefore,

[¶2] **ORDERED** that Appellant’s Motion to Appoint Counsel, filed herein January 7, 2014, be, and the same hereby is, denied; and it is further

[¶3] **ORDERED** that the district court’s June 28, 2013, “Judgment and Sentence” be, and the same hereby is, affirmed.

[¶4] **DATED** this 22nd day of January, 2014.

BY THE COURT:

/s/

MARILYN S. KITE
Chief Justice